

**UNITED STATES BANKRUPTCY COURT**  
**Eastern District of Missouri**  
**Thomas F. Eagleton U.S. Courthouse**  
**111 South Tenth Street, Fourth Floor**  
**St. Louis, MO 63102**

**In re:**  
125 Spring LLC

**Case No.: 23-42071 – B357**  
**Chapter: 7**

**Debtor(s)**

**ORDER AND NOTICE OF DISMISSAL**

**TO: ALL CREDITORS AND PARTIES IN INTEREST**

PLEASE TAKE NOTE: THIS CASE IS BEFORE THE COURT FOR DISMISSAL FOR THE REASON(S) IDENTIFIED BY ☒ BELOW.

- ☐ **The United States Trustee** moved to Dismiss this case in accordance with 11 U.S.C. § 707(a) or § 707(b)(1), and after notice and hearing;

**The Trustee:**

- ☐ The trustee moved to dismiss this case ☐ for abuse in accordance with 11 U.S.C. § 707(b)(1); or ☐ for such other reasons stated in the motion, and after notice and hearing;

**A Party In Interest:**

- ☐ A party in interest moved to dismiss this case ☐ for abuse in accordance with 11 U.S.C. § 707(b)(1); or ☐ for failure to provide tax documents in accordance with § 521(e)(2)(C) and orders of this Court; or ☐ for such other reasons stated in the motion, and after notice and hearing;

**The Debtor(s):**

- ☐ moved to Dismiss this case, and after notice and hearing;
- ☒ failed to file ☒ one or more Schedules and/or Statement of Affairs; ☐ a Matrix and/or Verification of Matrix in the proper form and within the time permitted; ☐ a Chapter 7 Statement of Current Monthly Income (B122 A-1), if necessary Chapter 7 Means Test Calculation (B122 A-2) or Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (B122 A-1Supp); ☐ a Credit Counseling Certificate indicating compliance with 11 U.S.C. § 109(h)(1); a Certification of Exigent Circumstances, or a Motion for Exemption from Credit Counseling under § 109(h)(4); ☐ a Statement of Corporate Ownership; or ☐ Debtor(s) failed to provide a Social Security Number(s) or B121 Form(s) within the time permitted; ☒ Debtor's attorney failed to file a Rule 2016(b) Disclosure of Compensation; and/or ☐ . The Court advised the Debtor(s) and Debtor's attorney that failure to file these documents properly within the time specified would result in dismissal of the case.
- ☐ failed to appear at the meeting of creditors and failed to obtain the Chapter 7 Trustee's consent to a further continued date. The Chapter 7 Trustee has certified that he/she notified the Debtor(s) that failure to appear at the continued hearing would result in dismissal of the case.
- ☐ failed to provide ☐ tax documents to the trustee in accordance with § 521(e)(2)(B) and orders of this Court; and/or ☐ payment advices to the trustee in accordance with § 521(a)(1)(B)(iv) and orders of this Court.

- ☐ failed to pay the appropriate filing fee; failed to file a proper Application to Pay Filing Fees in Installments at the time the petition was filed or within such additional time allowed (LR 1002 A); or failed to pay the filing fee on the terms set forth in the Order Approving Installment Fee Application previously entered in this case.

**The Court:**

- ☐ on its own motion or show cause, moved to dismiss this case under 11 U.S.C. §§ 707(a) or 105(a) for failure to comply with Court order and/or for delay or abuse of the bankruptcy process.

**Other Reason(s) for Dismissal:**

☐

**ACCORDINGLY,**

**IT IS ORDERED** that for the reason(s) identified in the motion or on the record at hearing, if any, the Motion to Dismiss identified in this Order and Notice is **GRANTED**, and this Chapter 7 case is **DISMISSED** prior to entry of an order of discharge.

- ☐ **IT IS FURTHER ORDERED** that this case is dismissed under U.S.C. § 109(g)(1) and the Debtor(s) is/are prohibited from filing a petition under Title 11 of the United States Bankruptcy Code for 180 days following the date of entry of this order pursuant to In re Montgomery, 37 F.3d 413 (8th Cir. 1994).
- ☐ **IT IS FURTHER ORDERED** that this case is dismissed under 11 U.S.C. § 109(g) and the Debtor(s) is/are prohibited from filing a petition under Title 11 of the United States Bankruptcy Code for 180 days following the date of entry of this order.
- ☐ **IT IS FURTHER ORDERED** that this case is dismissed with prejudice under 11 U.S.C. § 105(a) and the Debtor(s) is/are prohibited from filing a petition under Title 11 of the United States Bankruptcy Code for 180 days following the date of entry of this order.
- ☐ **IT IS FURTHER ORDERED** that even though this case is dismissed, the Debtor(s) owe(s) \$ for the filing fee in this case and the Debtor(s) **MUST PAY THIS AMOUNT TO THE COURT WITHIN FIVE BUSINESS DAYS FOLLOWING THE ENTRY OF THIS ORDER.** If the Debtor(s) fail(s) to pay the amount owed to the Court within five business days, the Debtor(s) is/are prohibited from filing a petition under Title 11 of the United States Bankruptcy Code for 180 days following the date of dismissal. If the Debtor(s) file(s) a subsequent bankruptcy case while prior filing fees remain outstanding, the Court will ordinarily deny any Application to Pay Filing Fees in Installments in the subsequent case.

**IT IS FURTHER ORDERED** that the automatic stays of 11 U.S.C. § 362 are hereby terminated, and the Chapter 7 Trustee is relieved of his/her bond requirement in this case and all pending matters are **DENIED** as moot.



U. S. Bankruptcy Judge

United States Bankruptcy Court

Eastern District of Missouri

In re:  
125 Spring LLC  
Debtor

Case No. 23-42071-bcw  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0865-4

User: admin

Page 1 of 2

Date Rcvd: Jun 29, 2023

Form ID: ntcdsm

Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 01, 2023:**

Recip ID	Recipient Name and Address
db	+ 125 Spring LLC, 1840 Derhake Rd, Florissant, MO 63033-6432
25382897	+ Cesar Mendoza, 1840 Derhake Rd, Florissant, MO 63033-6432
25382898	+ Lima One Capital LLC, 300 E McBee Ave, Greenville, SC 29601-2842

TOTAL: 3

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
tr	EDI: QDASOSNE.COM	Jun 30 2023 03:18:00	David A. Sosne, David A. Sosne, Trustee, 903 S. Lindbergh, Suite 200, St. Louis, MO 63131-2934

TOTAL: 1

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

**NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309):** Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 01, 2023

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 29, 2023 at the address(es) listed below:

Name	Email Address
David A. Sosne	dastrustee@summerscomptonwells.com dsosne@ecf.axosfs.com
Office of US Trustee	USTPRegion13.SL.ECF@USDOJ.gov
Wendee Noel Elliott-Clement	on behalf of Creditor Lima One Capital LLC moedbknotices@southlaw.com, ksbkecf@ecf.courtdrive.com

Certificate of Notice Pg 4 of 4

District/off: 0865-4

User: admin

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Date Rcvd: Jun 29, 2023

Form ID: ntcdsm

Total Noticed: 4

William H. Ridings, Jr.

on behalf of Debtor 125 Spring LLC ridingslaw2003@yahoo.com

TOTAL: 4